



New Jersey Department of Children and Families Policy Manual

Manual:	NJAC	NJ Administrative Code Excerpts	Effective Date:
Title	10	Human Services	
Chapter	132A	Legal Guardianship	10/31/2008
Subchapter:	3	Division Responsibilities Under The Law	
Section	6	Factors to consider regarding motions to vacate kinship legal guardianship orders (N.J.A.C. 10:132A-3.6)	

§10:132A-3.6 Factors to consider regarding motions to vacate kinship legal guardianship orders

(a) The Division shall consider the following factors related to the child's safety when determining whether to take a position on a motion to vacate a kinship legal guardianship order:

1. The child's age;
2. The duration of the Division's involvement with the child, prior to the granting of kinship legal guardianship;
3. The total length of time the child was in out-of-home placement;
4. The length of time the child has lived with the guardian, prior to and after the granting of kinship legal guardianship;
5. When kinship legal guardianship was granted;
6. What the original harm or risk of harm to the child was;
7. The parent's present fitness to care for the child;
8. Any subsequent allegations of abuse or neglect received by the Division and their findings; and
9. What plan is proposed for the child if the guardianship is vacated.

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